

ANNEXATION ORDINANCE NO. X- 04-88

AN ORDINANCE annexing certain territory commonly known as the Skinner-Broadbent Amended Annexation Area to Fort Wayne and including the same in Councilmanic District No. 4.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be and the same is hereby annexed to, and made a part of, the corporation of the City of Fort Wayne, Indiana, to-wit:

Part of the North half of Section 18 in Township 30, North, Range 12, East, Allen County Indiana described as follows:

Commencing at the Southwest corner of the Northwest Quarter of Section 18, Township 30 North, Range 12 East, Allen County, Indiana, said point also being the Northwest corner of Lot Numbered 54 in Highland Garden Addition, as recorded in the plat thereof in the office of the Recorder of Allen County, Indiana; thence North along the West line of the NW 1/4 of Sec. 18-30-12, a distance of 340.0 feet to the true point of beginning; thence North along the West line of the NW 1/4 of Sec. 18-30-12 a distance of 615 feet more or less to a point on the North right-of-way line of West Jefferson Boulevard, formerly U.S. Highway #24, (this point being on the existing City Limits line as established by Annexation Ordinance No. X-02-84 as filed in the Office of the City Clerk); thence following in a Northeasterly direction along the North right-of-way line of West Jefferson Boulevard (this being the existing City Limits of Fort Wayne) to the point of intersection of West Jefferson Boulevard and the South right-of-way line of Covington Road; thence following the existing City Limits line in an Easterly direction to the South right-of-way line of West Jefferson Boulevard; thence in a Southwesterly direction along the South right-of-way line of West Jefferson Boulevard to a point, that point being approximately 222 feet more or less Northeast of the Northwest corner of Lot #4 Rousseau's Third Garden Addition; thence Southeasterly with a deflection angle to the right of 86 degrees 33 minutes 40 seconds, a distance of 700.6 feet (South 40 degrees 34 minutes East, 676.0 feet, deed) to a point in the centerline of the Flaugh Ditch; thence Southwesterly with a deflection angle to the right of 101 degrees 48 minutes along the centerline of Flaugh Ditch, a distance of 444.4 feet; thence Southwesterly with a deflection angle to the right of 18 degrees 02 minutes 30 seconds along the centerline of Flaugh Ditch, a distance of 256.45 feet to a point on the West line of Lot Numbered 4 in Rousseau's Third Garden Addition; thence Southwesterly with a deflection angle to the left of 14 degrees 21 minutes 10 seconds along the centerline of Flaugh Ditch, a distance of 805.8 feet to the point of beginning, containing 25 acres, more or less.

SECTION 2. That the City of Fort Wayne will furnish the above described territory within a period of one (1) year from the effective date of annexation, planned services of a non-



capital nature, including police protection, and street and road maintenance, in a manner which is equivalent in standard and scope to those non-capital services provided to areas within the City of Fort Wayne which have similar topography, patterns of land utilization and population density to the said described territory. The City of Fort Wayne will also provide services of a capital improvement nature, including street construction, street lighting, sewer facilities, water facilities and stormwater drainage facilities to the annexed territory within three (3) years of the effective date of annexation, in the same manner as such services are provided to areas already in the City of Fort Wayne with similar topography, patterns of land utilization and population density, and in a manner consistent with federal, state and local laws, procedures and planning criteria.

SECTION 3. That governmental and proprietary services will be provided to the above described territory in a manner consistent with the written Fiscal Plan for the territory developed by the Division of Community Development and Planning. Said Plan was examined by the Common Council of the City of Fort Wayne and is approved and adopted by the Common Council by and upon the passage of this Ordinance.

SECTION 4. That said described territory shall be a part of Councilmanic Political Ward No. 4 of the City of Fort Wayne, Indiana, as described in Division I, Section 2-9 of Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana of 1974, as amended.

SECTION 5. That after its passage, any and all necessary approval by the Mayor, due legal publication, and the required sixty (60) day remonstrance period, this Ordinance shall be in

full force and effect. The above described territory shall  
become part of the City of Fort Wayne sixty days after the date  
of the last legal publication.

*Charles B. Ray*

\_\_\_\_\_  
COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY

*J. Timothy McCaulay*  
\_\_\_\_\_  
J. TIMOTHY MCCAULAY, CITY ATTORNEY



Read the first time in full and on motion by \_\_\_\_\_, seconded by \_\_\_\_\_, and duly adopted, read the second time by title and referred to the Committee on \_\_\_\_\_ (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_, day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

DATED: \_\_\_\_\_

SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Redd, seconded by Stier, and duly adopted, placed on its passage. PASSED ~~LOST~~ by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>8</u>	_____	_____	<u>1</u>
BRADBURY	<u>✓</u>	_____	_____	_____
BURNS	<u>✓</u>	_____	_____	_____
GIAQUINTA	<u>✓</u>	_____	_____	_____
HENRY	_____	_____	_____	<u>✓</u>
LONG	<u>✓</u>	_____	_____	_____
REDD	<u>✓</u>	_____	_____	_____
SCHMIDT	<u>✓</u>	_____	_____	_____
STIER	<u>✓</u>	_____	_____	_____
TALARICO	<u>✓</u>	_____	_____	_____

DATED: 10-11-88

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)

(SPECIAL) (ZONING MAP)

ORDINANCE RESOLUTION NO. X-04-88

on the 11th day of October, 1988,

Sandra E. Kennedy ATTEST  
SANDRA E. KENNEDY, CITY CLERK

SEAL James Stier  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of October, 1988, at the hour of 9:00 o'clock A. M., E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 12th day of October, 1988, at the hour of 9:50 o'clock A. M., E.S.T.

Paul Helmke  
PAUL HELMKE, MAYOR



Admn. Appr. \_\_\_\_\_

DIGEST SHEET

X-88-08-49  
(as amended)

TITLE OF ORDINANCE Skinner-Broadbent Amended Annexation Ordinance

DEPARTMENT OF REQUESTING ORDINANCE Community Development & Planning

SYNOPSIS OR ORDINANCE Ordinance annexes said territory to the City of Fort Wayne. The annexation area contains approximately 25 acres. The annexation area meets both tests for voluntary annexation under State Law in that area is at least (12.5%) contiguous to the City and more than 50% of the property owners in the territory seek to be annexed.

EFFECT OF PASSAGE Described territory will become part of the City.

EFFECT OF NON-PASSAGE This area will not become part of the City.


MONEY INVOLVED (Direct Cost, Expenditures, Savings) To be explained by the Fiscal Plan which will be prepared by the Division of Community Development and Planning.

ASSIGNED TO COMMITTEE (J.N.) \_\_\_\_\_



MEMORANDUM

TO: The City Council

FROM: Greg Purcell 

DATE: October 10, 1988

SUBJECT: Skinner Broadbent Annexation

\*\*\*\*\*

At the Plan Commission public hearing on September 19, 1988 the applicant requested to reduce the annexation area by deleting the portion of land south of Flaugh Ditch.

At their Business Meeting on September 26, 1988 the Plan Commission approved the annexation with the Conditions that a new legal description be filed and the fiscal plan be revised to reflect the reduced area to be annexed. Enclosed with this memo is a time schedule from the Law Offices of Rothberg, Gallmeyer, Fruechtenicht and Logan, attorneys for the Skinner Broadbent Company requesting adoption of the ordinance on October 11, 1988. The annexation is voluntary and we recommend approval to comply with the developer's timeline.

GP/VCS/de

cc: Tom Gallmeyer  
David Smelko



**THE SKINNER & BROADBENT COMPANY**

**Fort Wayne U.S. 24 West Project**

**Revised Timetable**

**Best Case Scenario**

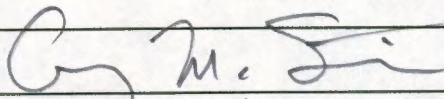
- |   |   |
|---|---|
| 1. Do-Pass Recommendation given to Annexation Ordinance by Allen County Plan Commission | September 26, 1988                        |
| 2. Annexation Ordinance adopted by City Council   | October 11, 1988                          |
| 3. Annexation Ordinance signed by Mayor   | October 13, 1988                          |
| 4. First Publication Date   | October 18, 1988                          |
| 5. Second Publication Date  | October 25, 1988                          |
| 6. Filing Deadline for December 19 Plan Commission Public Hearing                       | November 18, 1988                         |
| 7. December Public Hearing  | December 19, 1988                         |
| 8. Filing Deadline for January Plan Commission Public Hearing                           | December __, 1988<br>(exact date unknown) |
| 9. Annexation Becomes Effective   | December 26, 1988                         |
| 10. Plan Commission Business Session  | January 9, 1989                           |
| 11. Plan Commission January Public Hearing (Preliminary Development Plan and Zoning)    | January 23, 1989<br>(proposed date)       |
| 12. Plan Commission January Business Session (Preliminary Development Plan and Zoning)  | January 30, 1989<br>(proposed date)       |
| 13. City Council adopts Zoning Ordinance  | February 7, 1989<br>(proposed date)       |

REQUEST FOR ACTION

Number assigned by Plan Commission Office: \_\_\_\_\_

TO: City Attorney J. Timothy McCaulay  
or  
Associate City Attorney \_\_\_\_\_

FROM: (Name, Title & Department) Robert Woenker, Planner II  
Community Development & Planning

APPROVED BY:   
(Person authorized to forward legal work)

DATE: September 30, 1988

SUBJECT: Annexation Ordinance for Skinner-Broadbent Amended  
(File subject designation)

\*\*\*\*\*

File # Assigned by Records Librarian

Date: \_\_\_\_\_

\*\*\*\*\*

ACTION REQUESTED: Approve the annexation ordinance for the  
Skinner-Broadbent Amended Annexation as to form and legality and prepare for  
introduction by City Council.

\_\_\_\_\_  
(Continue on reverse side, if necessary)



BILL NO. X-88-08-49 (AS AMENDED)

REPORT OF THE COMMITTEE ON ANNEXATION

WE, YOUR COMMITTEE ON ANNEXATION TO WHOM WAS  
REFERRED AN (ORDINANCE) (~~RESOLUTION~~) annexing certain  
territory commonly known as the Skinner-Broadbent Amended  
Annexation Area to Fort Wayne and including the same in  
Councilmanic District No. 4

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION  
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID  
(ORDINANCE) (~~RESOLUTION~~)

YES

NO

Charles B. Redd CHARLES B. REDD  
Janet G. Bradbury CHAIRMAN  
David C. Long JANET G. BRADBURY  
Donald J. Schmidt VICE CHAIRPERSON  
Samuel J. Talarico DAVID C. LONG  
DONALD J. SCHMIDT  
SAMUEL J. TALARICO

CONCURRED IN 10-11-88

Sandra E. Kennedy  
Sandra E. Kennedy  
City Clerk





# The City of Fort Wayne

October 12, 1988

Ms. April Minnick  
Fort Wayne Newspapers, Inc.  
600 West Main Street  
Fort Wayne, IN 46802

Dear Ms. Minnick:

Please give the attached full coverage on the dates of  
October 13 & 20, 1988, in both the News Sentinel and Journal  
Gazette.


RE: Legal Notice for Common Council  
of Fort Wayne, IN

Bill No. X-88-08-49 (as amended)  
Annexation Ordinance No. X-04-88

Please send us 4 copies of the Publisher's Affidavit from  
both newspapers.

Thank you.

Sincerely yours,

  
Sandra E. Kennedy  
City Clerk

SEK/ne  
ENCL: 1



LEGAL NOTICE

Notice is hereby given that on the 11th day of October, 19 88, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. X-88-08-49 (as amended) Annexation Ordinance No. X-04-88 to-wit:

Bill No. X-88-08-49 (AS AMENDED)

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SECTION 4. That said described territory shall be a part of Councilmanic Political Ward No. 4 of the City of Fort Wayne, Indiana, as described in Division I, Section 2-9 of Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana of 1974, as amended.

SECTION 5. That after its passage, any and all necessary approval by the Mayor, due legal publication, and the required sixty (60) day remonstrance period, this Ordinance shall be in

1 full force and effect. The above described territory shall  
2 become part of the City of Fort Wayne sixty days after the date  
3 of the last legal publication.  
4  
5

Charles B. Redd

COUNCILMEMBER

Read the third time in full and on motion by Redd  
seconded by Stier, and duly adopted, placed on its passage.  
PASSED by the following vote:

Ayes: Eight  
Bradbury, Burns, GiaQuinta, Long, Redd, Schmidt, Stier, Talarico  
Nays: None

Absent: One  
Henry  
Abstained: None

DATED: 10-11-88 Sandra E. Kennedy  
City Clerk

Passed and adopted by the Common Council of the City of  
Fort Wayne, Indiana as Annexation Ordinance No. X-04-88, on the 11th  
day of October, 1988,

ATTEST:

SEAL

Sandra E. Kennedy  
City Clerk

James S. Stier  
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne,  
Indiana, on the 12th day of October, 1988, at the hour of 9:00  
o'clock A.M., E.S.T.

Sandra E. Kennedy  
City Clerk

Approved and signed by me this 12th day of October, 1988,  
at the hour of 9:50 o'clock A.M., E.S.T.

Paul Helmke  
Mayor

I, The Clerk of the City of Fort Wayne, Indiana do hereby certify  
that the above and foregoing is a full, true and complete copy of  
Annexation Ordinance No. X-04-88,  
passed by the Common Council on the 11th day of  
October, 1988, and that said Ordinance was  
duly signed and approved by the Mayor on the 12th day of  
October, 1988, and now remains on file and  
on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne,  
Indiana, this 12th day of October, 1988.

SEAL

*Sandra E. Kennedy*  
SANDRA E. KENNEDY, CITY CLERK



LEGAL NOTICE

Notice is hereby given that on the 11th day of October, 1988, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. X-88-08-49 (as amended) Annexation Ordinance No. X-04-88 to-wit:

Bill No. X-88-08-49 (AS AMENDED)

ANNEXATION ORDINANCE NO. X-04-88

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SECTION 2. That the City of Fort Wayne will furnish the above described territory within a period of one (1) year from the effective date of annexation, planned services of a non-capital nature, including police protection, and street and road maintenance, in a manner which is equivalent in standard and scope to those non-capital services provided to areas within the City of Fort Wayne which have similar topography, patterns of land utilization and population density to the said described territory. The City of Fort Wayne will also provide services of Capital improvement nature, including street construction, street lighting, sewer facilities, water facilities and stormwater drainage facilities to the annexed territory within three (3) years of the effective date of annexation, in the same manner as such services are provided to areas already in the City of Fort Wayne with similar topography, patterns of land utilization and population density, and in a manner consistent with federal, state and local laws, procedures and planning criteria.

SECTION 3. The governmental and proprietary services will be provided to the above described territory in a manner consistent with the written Fiscal Plan for the territory developed by the Division of Community Development and Planning. Said Plan was examined by the Common Council of the City of Fort Wayne and is approved and adopted by the Common Council by and upon the passage of this Ordinance.

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Charles B. Redd  
COUNCILMEMBER

Read the third time in full and on motion by Redd seconded by Stier, and duly adopted, placed on its passage.

PASSED by the following vote:

Ayes: Eight  
Bradbury, Burns, GiaQuinta, Long, Redd, Schmidt, Stier, Talarico  
Nays: None  
Absent: One  
Henry  
Abstained: None

DATED: 10-11-88

Sandra E. Kennedy  
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Annexation Ordinance No. X-04-88, on the 11th day of October, 1988,

ATTEST:  
Sandra E. Kennedy  
City Clerk

SEAL  
James S. Stier  
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of October, 1988, at the hour of 9:00 o'clock A.M., E.S.T.

Sandra E. Kennedy  
City Clerk

Approved and signed by me this 12th day of October, 1988, at the hour of 9:50 o'clock A.M., E.S.T.

Paul Helmke  
Mayor

I, The Clerk of the City of Fort Wayne, Indiana do hereby certify that the above and foregoing is a full, true and complete copy of Annexation Ordinance No. X-04-88, passed by the Common Council on the 11th day of October, 1988, and that said Ordinance was duly signed and approved by the Mayor on the 12th day of October, 1988, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 12th day of October, 1988.

SANDRA E. KENNEDY, CITY CLERK

SEAL  
10--13-20

of Accounts

General Form No. 99P (Revised 1987)

City of

To:

The News-Sentinel

Dr.

P.O. Box 100

Fort Wayne, IN

County, Indiana

PUBLISHER'S CLAIM

Need two actual lines, neither of which shall total type in which the body of the advertisement is set)

1

149

3

153

ES

Columns wide equals 153 equivalent lines

\$ 75.74

containing rule or tabular work

Publication (\$1.00 for each proof in excess of two)

2.00

IM

\$ 77.74

ST

ems

and penalties of Chapter 155, Acts 1953,

going account is just and correct, that the amount allowing all just credits, and that no part of the

Trudy Sterling

Clerk

, 19 88

Title:

PUBLISHER'S AFFIDAVIT

State of Indiana )

) ss:

Allen County )

Personally appeared before me, a notary public in and for said county and state, the undersigned Trudy Sterling who, being duly sworn, says that he/she is Clerk of the The News-Sentinel newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times, the dates of publication being as follows:

10/13, 20/88

Trudy Sterling

Subscribed and sworn to before me this 20th day of Oct., 19 88

Shelley R. LaRue

Notary Public

Shelley R. LaRue  
March 3, 1990

My commission expires:



LEGAL NOTICE  
Notice is hereby given that on the 11th day of October, 1988, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. X-88-08-49 (as amended) Annexation Ordinance No. X-04-88 to-wit:  
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SECTION 2. That the City of Fort Wayne will furnish the above described territory within a period of one (1) year from the effective date of annexation, planned services of a non-capital nature, including police protection, and street and road maintenance, in a manner which is equivalent in standard and scope to those non-capital services provided to areas within the City of Fort Wayne which have similar topography, patterns of land utilization and population density to the said described territory. The City of Fort Wayne will also provide services of Capital improvement nature, including street construction, street lighting, sewer facilities, water facilities and stormwater drainage facilities to the annexed territory within three (3) years of the effective date of annexation, in the same manner as such services are provided to areas already in the City of Fort Wayne with similar topography, patterns of land utilization and population density, and in a manner consistent with federal, state and local laws, procedures and planning criteria.  
SECTION 3. The governmental and proprietary services will be provided to the above described territory in a manner consistent with the written Fiscal Plan for the territory developed by the Division of Community Development and Planning. Said Plan was examined by the Common Council of the City of Fort Wayne and is approved and adopted by the Common Council by and upon the passage of this Ordinance.  
SECTION 4. That said described territory shall be part of Councilmanic Political Ward No. 4 of the City of Fort Wayne, Indiana, as described in Division I, Section 2-9 of Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana of 1974, as amended.  
SECTION 5. That after its passage, any and all necessary approval by the Mayor, due legal publication, and the required sixty (60) day remonstrance period, this Ordinance shall be in full force and effect. The above described territory shall become part of the City of Fort Wayne sixty days after the date of the last legal publication.  
Charles B. Redd  
COUNCILMEMBER  
Read the third time in full and on motion by Redd seconded by Stier, and duly adopted, placed on its passage.  
PASSED by the following vote:  
Ayes: Eight  
Bradbury, Burns, GiaQuinta, Long, Redd, Schmidt, Stier, Talarico  
Nays: None  
Absent: One  
Henry  
Abstained: None  
DATED: 10-11-88  
Sandra E. Kennedy  
City Clerk  
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Annexation Ordinance No. X-04-88, on the 11th day of October, 1988,  
ATTEST:  
Sandra E. Kennedy  
City Clerk  
SEAL  
James S. Stier  
Presiding Officer  
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of October, 1988, at the hour of 9:00 o'clock A.M., E.S.T.  
Sandra E. Kennedy  
City Clerk  
Approved and signed by me this 12th day of October, 1988, at the hour of 9:50 o'clock A.M., E.S.T.  
Paul Helmke  
Mayor  
I, The Clerk of the City of Fort Wayne, Indiana do hereby certify that the above and foregoing is a full, true and complete copy of Annexation Ordinance No. X-04-88, passed by the Common Council on the 11th day of October, 1988, and that said Ordinance was duly signed and approved by the Mayor on the 12th day of October, 1988, and now remains on file and on record in my office.  
WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 12th day of October, 1988.  
SANDRA E. KENNEDY, CITY CLERK  
SEAL  
10--13-20

Council  
t)  
County, Indiana

To: The Journal-Gazette Dr.  
P.O. Box 100  
Fort Wayne, IN

PUBLISHER'S CLAIM

ceed two actual lines, neither of which shall total  
type in which the body of the advertisement is set)

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columns wide equals 153 equivalent lines

\$ 75.74

s containing rule or tabular work

ublication (\$1.00 for each proof in excess of two)

2.00

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nd penalties of Chapter 155, Acts 1953,

going account is just and correct, that the amount  
allowing all just credits, and that no part of the

Trudy Sterling  
Clerk

, 19 88

Title:

PUBLISHER'S AFFIDAVIT

State of Indiana )

) ss:

Allen County )

Personally appeared before me, a notary public in and for said county and state, the undersigned Trudy Sterling who, being duly sworn, says that he/she is Clerk of the The Journal-Gazette newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two time s, the dates of publication being as follows:

10/13, 20/88

Subscribed and sworn to before me this 20th day of Oct., 19 88

Shelley R. LaRue  
Notary Public

Shelley R. LaRue  
My commission expires: March 3, 1990



Ft. Wayne Common Council  
(Governmental Unit)

To: The News-Sentinel Dr.  
P.O. Box 100  
Fort Wayne, IN

Allen County, Indiana

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set) -- number of equivalent lines

Head -- number of lines 1

Body -- number of lines 149

Tail -- number of lines 3

Total number of lines in notice 153

COMPUTATION OF CHARGES

153 lines, 1 columns wide equals 153 equivalent lines  
at 495 cents per line \$ 75.74

Additional charge for notices containing rule or tabular work (50 percent of above amount)

Charge for extra proofs of publication (\$1.00 for each proof in excess of two) 2.00

TOTAL AMOUNT OF CLAIM \$ 77.74

DATA FOR COMPUTING COST

Width of single column 12.5 ems  
Number of insertions 2  
Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Trudy Sterling

Date: Oct. 20, 19 88

Title: Clerk

PUBLISHER'S AFFIDAVIT

LEGAL NOTICE  
Notice is hereby given that on the 11th day of October, 1988, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. X-88-08-49 (as amended) Annexation Ordinance No. X-04-88 to-wit:

Bill No. X-88-08-49 (AS AMENDED)  
ANNEXATION ORDINANCE NO. X-04-88  
AN ORDINANCE annexing certain territory commonly known as the Skinner-Broadbent Amended Annexation Area to Fort Wayne and including the same in Councilmanic District No. 4.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be and the same is hereby annexed to, and made a part of, the corporation of the City of Fort Wayne, Indiana, to-wit:

Part of the North half of Section 18 in Township 30, North, Range 12, East, Allen County Indiana described as follows:

Commencing at the Southwest corner of the Northwest Quarter of Section 18, Township 30 North, Range 12 East, Allen County, Indiana, said point also being the Northwest corner of Lot Numbered 54 in Highland Garden Addition, as recorded in the plat thereof in the office of the Recorder of Allen County, Indiana; thence North along the West line of the NW 1/4 of Sec. 18-30-12, a distance of 340.0 feet to the true point of beginning; thence North along the West line of the NW 1/4 of Sec. 18-30-12 a distance of 615 feet more or less to a point on the North right-of-way line of West Jefferson Boulevard, formerly U.S. Highway #24, (this point being on the existing City Limits line as established by Annexation Ordinance No. X-02-84 as filed in the Office of the City Clerk); thence following in a Northeasterly direction along the North right-of-way line of West Jefferson Boulevard (this being the existing City Limits of Fort Wayne) to the point of intersection of West Jefferson Boulevard and the South right-of-way line of Covington Road; thence following the existing City Limits line in an Easterly direction to the South right-of-way line of West Jefferson Boulevard; thence in a Southwesterly direction along the South right-of-way line of West Jefferson Boulevard to a point, that point being approximately 222 feet more or less Northeast of the Northwest corner of Lot #4 Rousseau's Third Garden Addition; thence Southeasterly with a deflection angle to the right of 86 degrees 33 minutes 40 seconds,

State of Indiana )

) ss:

Allen County )

Personally appeared before me, a notary public in and for said county and state, the undersigned Trudy Sterling who, being duly sworn, says that he/she is Clerk of the The News-Sentinel newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two time s, the dates of publication being as follows:

10/13, 20/88

Subscribed and sworn to before me this 20th day of Oct., 19 88

Shelley R. LaRue  
Notary Public  
March 3, 1990

My commission expires:

PUBLISHER'S CLAIM

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Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: Oct. 20, 1988 Title: Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana )  
) ss:  
Allen County )

Personally appeared before me, a notary public in and for said county and state, the undersigned Trudy Sterling who, being duly sworn, says that he/ she is Clerk of the The Journal-Gazette newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two time s, the dates of publication being as follows:

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Subscribed and sworn to before me this 20th day of Oct., 19 88

Shelley R. LaRue  
Notary Public

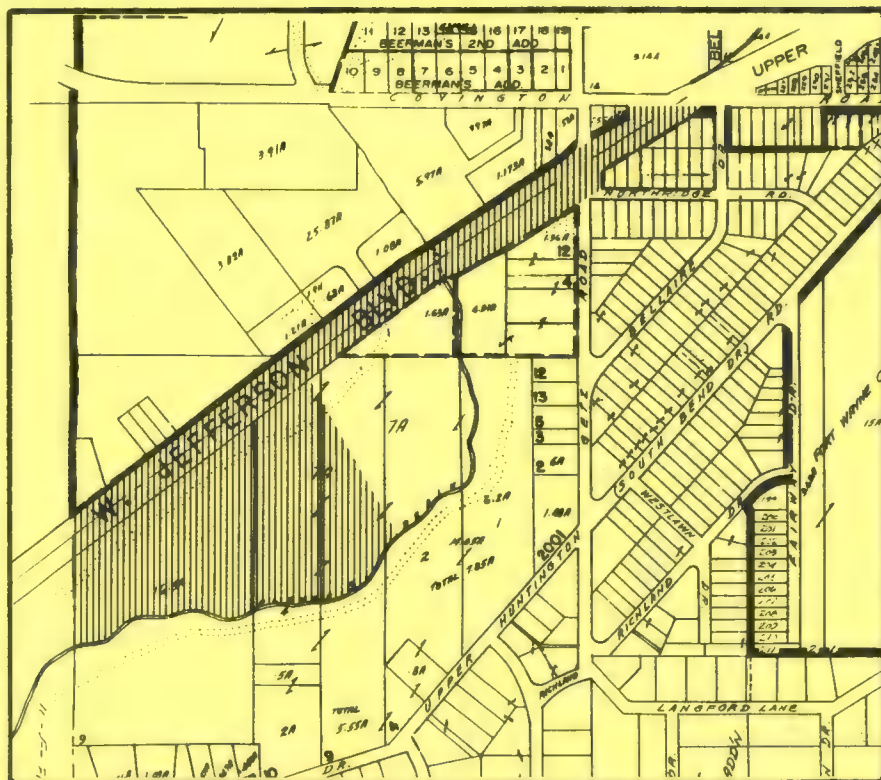


# ANNEXATION FISCAL PLAN

CITY OF FORT WAYNE  
PAUL HELMKE, MAYOR

September 1988

Skinner-Broadbent



ADMINISTRATION AND POLICY DIRECTION

Paul Helmke  
Mayor  
City of Fort Wayne

Greg Purcell, Director  
Division of Community Development and Planning

V.C. Seth, AICP  
Director of Planning

Fort Wayne City Plan Commission

John Shoaff, President  
Yvonne Stam, Vice President  
Robert Hutner, Secretary  
Janet Bradbury  
Angela Derheimer  
Mark Gensic  
Melvin Smith  
Stephen Smith  
Wil Smith

RESEARCH AND PREPARATION

Gary Stair, Senior Planner  
Robert Woenker, Planner II  
Larry Whitt, Assistant Graphic Designer  
Janet Lewis, Secretary VII  
Marsha Gold, Secretary VII



## EXECUTIVE SUMMARY

On July 12, 1988 the Division of Community Development and Planning received a request for voluntary annexation. The property owners making the request own approximately sixteen acres of land in Wayne Township immediately east of the Aboite Township line with frontage along West Jefferson Boulevard.

The property presently includes two single family residential structures with the remainder of the land undeveloped. It is the intent of the petitioners to sell the property to the Skinner-Broadbent Company for development as a shopping center.

The Skinner-Broadbent Annexation (as it will be referred to in this fiscal plan) satisfies the criteria of the Indiana State statutes for annexation. This plan describes the area to be annexed, sets forth a plan to provide municipal services; and summarizes the financial impact of the annexation upon the City of Fort Wayne.

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## SECTION ONE

### BASIC DATA

#### A. Location

The area to be annexed is bounded on the north and east by the City of Fort Wayne, Jefferson Boulevard and irregular property lines, on the south by Flaugh Ditch and on the west by the east line of Aboite Township. (See Location Figure Page 2).

#### B. Size

The Skinner-Broadbent Annexation contains approximately 25 acres.

#### C. Population

The population of the annexation area is estimated to be 6 and there are two residential structures in the area.

#### D. Land Use

Presently the predominance of the land is vacant, but plans call for the construction of a shopping center.

#### E. Zoning

The Skinner-Broadbent Annexation area has only one zoning classification: RS-1 (Suburban Residential). Upon annexation, this area will be under the jurisdiction of the City Plan Commission and will be classified R1 (Single Family Residence District).

#### F. Assessment

\$25,150

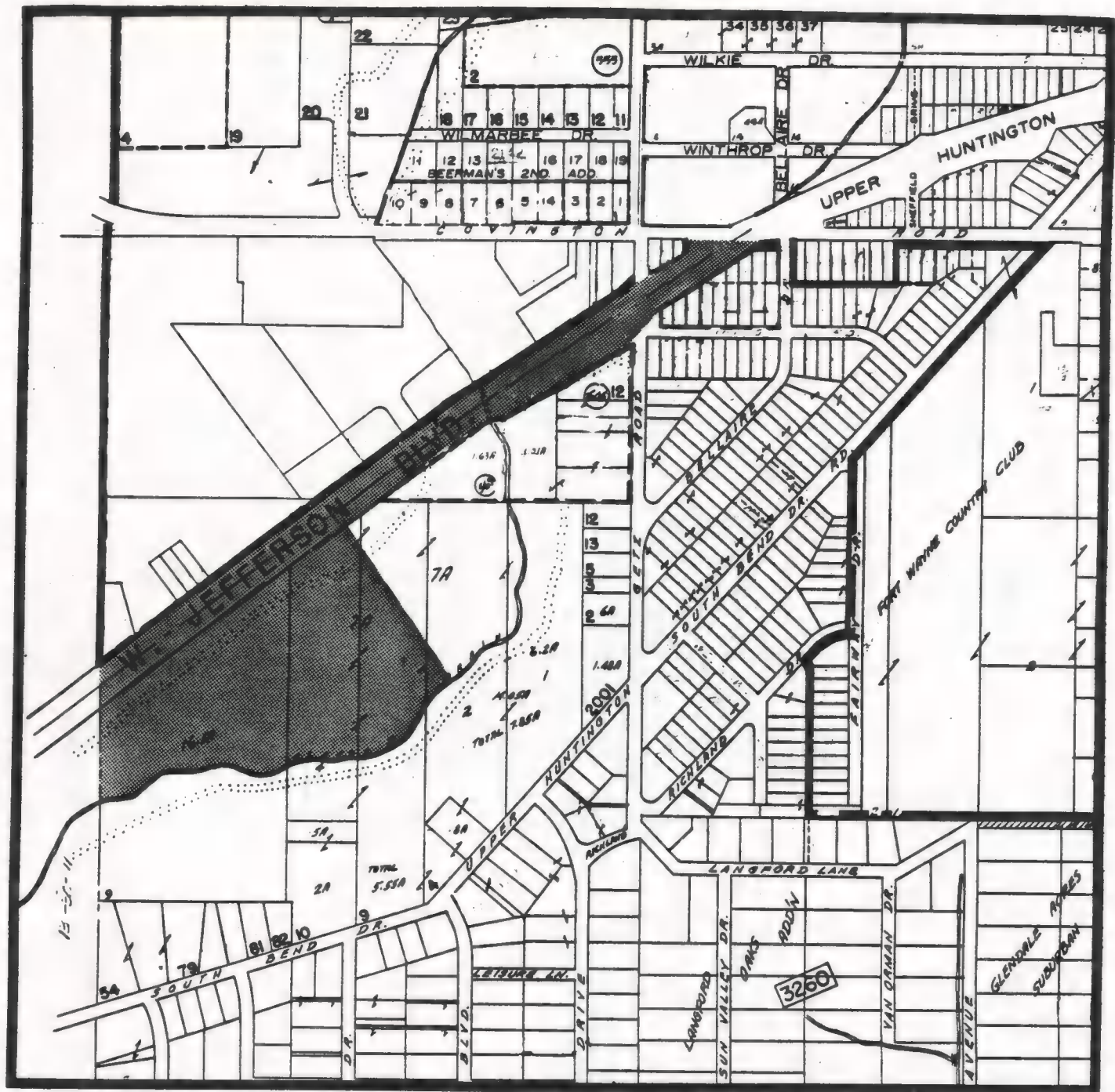
#### G. Tax Rate

Existing \$6.9956	After Annexation \$10.4296	Increase \$ 3.434
		or \$49.09%

#### H. Council District

The annexation area will be in City Council District 4.





# LOCATION

## SECTION TWO

### THE COMPREHENSIVE ANNEXATION PROGRAM

The annexation of the Skinner-Broadbent area is part of a larger, comprehensive annexation program that was promulgated in a report prepared by the Department of Community Development and Planning in 1975 and which was subsequently updated in 1976. The Annexation Policy and Program Study was the culmination of a year and a half of extensive study and is used as a policy guide for the City's annexation program. The report recommends that "all urban land contiguous to the City Limits should become part of the City" as should "all non-urban land required to complement the annexation of urban land and provide the ability to control and manage urban growth". Because the Skinner-Broadbent area met this criteria in 1975-76, the report identified it as part of a larger area, AB-1, which was recommended for annexation.



### SECTION THREE - STATE LAW REQUIREMENTS

State law stipulates that if an area is one-eighth contiguous to the City, it can be annexed voluntarily if 51% of the property owners in the territory sought to be annexed, or owners of 75% of the total assessed value of the land petition for an ordinance annexing the area.

The area meets the contiguity requirements in that it is over one eighth contiguous to the City of Fort Wayne, being 39.1% contiguous to city boundaries.

The area also meets the second requirement, as 100% of the property owners (this does not include the public right-of-way) in the area have petitioned for annexation.

Therefore, the Skinner-Broadbent Annexation complies with the relevant state law requirements.

## SECTION FOUR

### MUNICIPAL SERVICES

This section of the Fiscal Plan projects costs and methods of financing municipal services for the Skinner-Broadbent Annexation Area. The plan describes how and when the City plans to extend non-capital services and capital improvements. As will be seen, the explanations of the above provisions satisfy the requirements of Indiana State Law.

The municipal services described in this section are analyzed according to the needs of the Skinner-Broadbent Annexation Area, along with the costs of providing services, and funding sources. As required by state law, the annexation area will be treated equally with other City areas, and will receive urban services in the same manner as other areas within the City. However, because the City does not employ different service standards for different areas of the City, the annexation area is compared with the service standards as they exist for the entire City. The City of Fort Wayne will provide services of a non-capital nature, including police protection, emergency medical service, traffic control, solid waste collection, and street and road maintenance within one year of the effective date of annexation. Street lighting and street construction will be provided in accordance with the standard processes of the City, which include petitioning and financial participation by property owners. The water services of the Fort Wayne City Utilities will be made available to the area in conformance with relevant state law and utility policies.

#### A. POLICE

The services provided by the Fort Wayne Police Department include the prevention of crime, the detection and apprehension of criminal offenders, assistance for those who cannot care for themselves or who are in danger of physical harm, resolution of day-to-day conflicts among family, friends, and neighbors, and the creation and maintenance of a feeling of security in the community. The Police Department is involved in legal work, such as participation in court proceedings and protection of constitutional rights. It is also responsible for the control of traffic and the promotion and preservation of civil order.

District 5 will be expanded to cover the Skinner-Broadbent area upon annexation. The Police Department keeps information on the percentage of personnel and equipment necessary for the City's annexation program, and has determined that additional personnel are not required for this particular annexation.



Due to the size of the area and its proximity to the city limits, the cost to provide police protection to the Skinner-Broadbent Annexation Area will be minimal.

CAPITAL COST: \$0  
ESTIMATED ANNUAL COST: \$0

B. FIRE PROTECTION

The Fort Wayne Fire Department will not be responsible for providing primary fire protection services to the Skinner-Broadbent Annexation area as this area is located within the jurisdiction of the Southwest Allen County Fire District.

With the mutual aid agreements that exist, the Fort Wayne Fire Department can respond to fire emergency situations. Assistance would come from Station 2 located at 2023 Taylor Street and from Station 7 located at 1602 Lindenwood Avenue.

CAPITAL COST: \$0  
ESTIMATED ANNUAL COST: \$0

C. EMERGENCY AMBULANCE SERVICE

At the present time, the Three Rivers Ambulance Authority is the only provider of ambulance service for the City of Fort Wayne. The Skinner-Broadbent Annexation area may receive full advanced life support ambulance service immediately upon annexation.

Using service run records of the past several years, as many as six ambulances will be stationed at different locations throughout the community. Upon receiving a request for service from the annexation area, the ambulance closest to the area will be dispatched to the annexation area.

The method of financing emergency medical services is based primarily on user fees. The charges for ambulance service, as of January 1, 1988 are shown in Table 1.

TABLE 1

- |    |  |
|----|--|
| 1. | \$95 plus \$3 per loaded mile for non-emergency transfers scheduled 24 hours in advance. |
| 2. | \$120 plus \$3 per loaded mile for non-scheduled non-emergency transfers.                |
| 3. | \$380 for all emergencies for City and non-City residents.                               |

This method of financing permits emergency medical service to be extended to the annexation area with its existing budget and no additional manpower or equipment will be needed to service the annexation area.

CAPITAL COST: \$0  
ESTIMATED ANNUAL COST: \$0

D. SOLID WASTE DISPOSAL

The City of Fort Wayne provides garbage collection for residential customers immediately after the annexation date. This area is serviced by National Serv-all at the rate of \$54.00 per household per year. Collection service is financed by the City's Garbage Disposal Fund which comes from the General Fund. With two residential customers in the area presently, there is an annual cost of \$108.00.

CAPITAL COST: \$0  
ESTIMATED ANNUAL COST: \$108.00

E. TRAFFIC CONTROL

The City's Traffic Engineering Department will assume responsibility for traffic control in the annexation area within one year of the effective annexation date. Some of the services that can be provided by the department are surveys and investigations of traffic conditions and problems. The department also provides installation and maintenance of traffic control devices such as stop lights, control signs, and fire alarm systems. The Traffic Engineering Department will not require additional personnel to perform its services in the Skinner-Broadbent Annexation Area. There will be an annual cost of \$87.10 for the painting of centerline and edge line along Jefferson Boulevard. Funding sources for these services will be from real estate taxes, Motor Vehicle Highway (MVH) funds, and Revenue Sharing Funds.

CAPITAL COST: \$0  
ESTIMATED ANNUAL COST: \$87.10

F. STREETS AND ROADS

The incorporation of the annexation area will add .48 miles of arterial streets in fair condition. The Fort Wayne Street Department will be responsible for the general maintenance of the streets in the annexation area immediately after the annexation. General maintenance includes snow and ice removal, and surface maintenance. The Street Engineering Department will provide engineering services and construction supervision for all streets, alleys, and sidewalks that will be constructed within the proposed annexation area. The provision of these services to the annexation area will not require any additional personnel or equipment, and they will be similar to those services already provided to the rest of the City. The average cost of general street maintenance is \$2,500 per mile of street per year, so the annexation will cost the City approximately \$1,200 a year in



street maintenance costs. The source of funding for street maintenance is the Street Department budget which is composed of funds from the Motor Vehicle Highway (MVH) Program. The Street Engineering Department funds come from the Motor Vehicle Highway, Federal Aid Urban (FAU), and Local Arterial Roads and Streets (LARS) Program.

Besides the maintenance services just discussed, the Street Department will improve streets upon receipt of a petition from the property owners. Arterial and often collector streets can be improved with funding from accounts such as FAU and LARS. The cost to improve residential streets will be split between the property owners petitioning for the improvements and the City. The City's share will come from Motor Vehicle Highway funds. All petitions from the annexation area will be treated equally with other petitions in the City and honored according to the same criteria such as filing date and amount of money available in any particular year.

CAPITAL COST: \$0  
ESTIMATED ANNUAL COST: \$1,200.00

#### G. PARKS

Presently there are two residential properties in the area. The services and facilities of the park system are currently available, with Rockhill Park, a 28 acre Neighborhood Park being the closest. Upon annexation, property owners through the Park General tax, will contribute to the system's maintenance.

CAPITAL COST: \$0  
ESTIMATED ANNUAL COST: \$0

#### H. WATER

The Fort Wayne Water Utility is presently serving the annexation area. City Utilities has the capacity to provide sufficient volumes of water to the portions of the annexation area not presently receiving water services. The extension of water services to individual developments and residences will be considered once the property owners in the area petition for such service. This procedure is the same as that being used by areas within the City.

CAPITAL COST: \$0  
ESTIMATED ANNUAL COST: \$0

#### I. FIRE HYDRANTS

The City of Fort Wayne pays the Fort Wayne Water Utility \$181.50 annually for each fire hydrant located within the City. Since the annexation contains 3 fire hydrants, the City will pay the

utility \$544.50 a year after the area is annexed into the City. This money will be taken from the General Fund.

CAPITAL COST: \$0  
ESTIMATED ANNUAL COST: \$544.50

J. SANITARY SEWERS

The annexation area is being served by the Utility Center and is outside the service area of the Fort Wayne Department of Water Pollution Control. Therefore, the City will not be responsible for providing sanitary sewers to this area.

CAPITAL COST: \$0  
ESTIMATED ANNUAL COST: \$0

K. STORM SEWERS

Upon annexation, the Department of Water Pollution Control will not consider capital improvements for storm sewers unless petitioned by the property owners of the annexation area. It is the City's policy that the financing of storm sewers be the responsibility of property owners.

CAPITAL COST: \$0  
ESTIMATED ANNUAL COST: \$0

L. STREET LIGHTING

The Street Lighting Department will be responsible for maintaining and operating street lights in the annexation area. However, at present there are no street lights in the area. Therefore, there will be no cost for street lighting services.

CAPITAL COST: \$0  
ESTIMATED ANNUAL COST: \$0

M. ADMINISTRATIVE SERVICES

All administrative functions of the City will be available to the Skinner-Broadbent Annexation Area within one year of the annexation date. These services include, but are not limited to, the Law Department, the City Plan Commission, the Mayor's Office, the Board of Works, the Metropolitan Human Relations Department, the City Clerk's Office, the Citizen's Advocate Office, etc. General administration includes all of the regulatory and program functions of the various City departments. When the area is annexed, City departments will be notified and will expand their jurisdictional areas accordingly.



The costs of these services cannot be directly related to the size or population of an area. Consequently, this plan does not include cost estimates. However, the budgets of these departments are prepared with the expectation that the City will annex several areas during the budgetary period. Therefore, expansion of administrative functions is possible. Funding comes from a variety of sources, including the General Fund, the State, and the Federal government.

CAPITAL COST:	\$0
ESTIMATED ANNUAL COST:	\$0

## SECTION FIVE

### FINANCIAL SUMMARY AND RECOMMENDATION

The purpose of this section is to report the expenditures from the proposed Skinner-Broadbent Annexation. This section will also provide a five-year summary of the expenditures compared with the revenues. It should be pointed out that the following financial projections do not precisely reflect future revenues that will be generated from the annexation area. At this time, it is impossible to project the future assessments and new construction in the Skinner-Broadbent area. As a result, only a small portion of future revenues are computed.

#### A. REVENUES

Property taxes are the main source of revenue to be received from the Skinner-Broadbent Annexation Area. Property taxes are computed from the gross amount of assessed valuation in the area which can be obtained from the office of the Wayne Township Assessor. The formula for computing tax revenue is shown in Table 2.

TABLE 2  
TAX REVENUE FORMULA

	$\frac{V-E}{100}$	(T)	=	TR
WHERE:	V	=		Assessed Valuation
	E	=		Home Mortgage Exemption (\$1,000)
	T	=		Tax Rate Difference
	TR	=		Tax Return

The current total assessed valuation of the proposed Skinner-Broadbent Annexation is \$25,150. There are 2 residential units in the annexation area and assuming that each one is eligible for a home mortgage exemption of \$1,000 the total taxable assessed valuation of the annexation area is \$23,150. The \$23,150 is then computed with the City's present tax rate of 3.8440 (See Table 3). Property tax revenues for the Skinner-Broadbent Annexation will be \$890. An 18 percent individual tax credit is deducted from this figure. Therefore, the total amount of property tax that will be paid by the residents of this area will be \$730. The 18 percent deduction will be returned to Fort Wayne by the State with revenues raised by the State sales tax. The total revenues received by the City from this annexation will be \$890 when the property tax relief revenues from the State are received.



This annexation will also enable the City to receive additional money from the Motor Vehicle Highway (MVH) and from the Local Arterial Roads and Streets (LARS) Funds. This is because these funds are allocated according to street miles. In 1987, the City received \$5,530 per street mile from the Motor Vehicle Highway (MVH) Fund and \$1,993 from the Local Arterial Roads and Streets (LARS) Fund. The annexation area will add .48 miles to the City's street system. Therefore, the City will receive an additional \$2,654 from Motor Vehicle Highway (MVH) and an additional \$957 from Local Arterial Roads and Streets (LARS) because of the Skinner-Broadbent Annexation. These funds will be received one year after the effective date of the annexation.

TABLE 3  
TAXING DISTRICT RATE

Corporation General	\$2.5106
Corporation Bond	.4405
Firemen Pension	.2359
Policemen Pension	.2015
Parks General	.4230
Redevelopment General	.0164
Sanitary Officers Pension	<u>\$ .0161</u>
	\$3.8440

In addition to property taxes and highway funds, the City receives revenues from the Community Development Block Grant, the Cigarette Tax and the Alcoholic Beverage Tax. These grants and funds are based in part on the City's population. Since population is only one element of a very complex distribution formula, the direct contribution of the Skinner-Broadbent Annexation cannot be calculated. Still, these funds will increase with city population increases.

#### B. EXPENDITURES

Expenditures which were reported in the section on Municipal Services are summarized in Table 4. Capital costs are separated from operating costs, and they are considered as maximum expenditures. Since the needs of the annexation area must be treated equally with the needs of other areas in Fort Wayne, capital improvement projects such as the construction of streets, curbs, and sidewalks must follow routine city procedures which often require petitioning. Utility costs are not reported here as they are paid for by the property owners, and only after they request the improvements.

TABLE 4  
EXPENDITURES

<u>DEPARTMENTS</u>	<u>CAPITAL COSTS</u>	<u>OPERATING COSTS</u>
Police Department	\$ .00	\$ .00
Fire Department	.00	.00
Emergency Ambulance Service	.00	.00
Solid Waste Disposal	.00	108.00
Traffic Control	.00	87.10
Streets	.00	1,200.00
Street Lighting	.00	.00
Parks	.00	.00
Water	.00	.00
Fire Hydrants	.00	544.50
Sanitary Sewer	.00	.00
Storm Sewer	.00	.00
Administrative Functions	.00	.00
<b>TOTALS</b>	<b>\$ .00</b>	<b>\$ 1,939.60</b>

C. FIVE YEAR SUMMARY

The Five Year Summary shows the projected expenditures compared with the tax revenues expected in the Skinner-Broadbent Annexation area for the first five years after it is incorporated into the City of Fort Wayne.

The summary automatically includes for each of the five years a 3.7 percent inflation factor for municipal expenditures, and a 5 percent increase factor for City revenues. The 3.7 percent inflation factor is the rate of inflation from December 1986 to December 1987 as calculated by the U.S. Department of Labor. The revenue factor is derived from the percent increase of assessed valuation in Indiana. This increase is applied to the City's allowed levy ceiling.

Table 5 includes both capital and operating costs in the estimated first year expenditures. Capital costs are a one time expenditure to upgrade the proposed annexation area, while operating costs are annual expenditures.

Property tax revenue from the annexation area will not be collected until 1989. Assuming the area is annexed in December of 1988, assessment will not occur until March of 1989, with revenues being collected in 1990. Since revenues are not collected for one year after the effective date of annexation, the City will experience a loss of \$2,011.00 in 1989.



TABLE 5  
REVENUES MINUS EXPENSES

	EXPENDITURES	PROPERTY TAX REVENUE	MVH & LARS	BALANCE
1989	\$ 2,011			\$ - 2,011
1990	2,085	\$ 981	3,611	+ 2,507
1991	2,162	1,030	3,611	+ 2,479
1992	2,242	1,082	3,611	+ 2,451
1993	<u>2,325</u>	<u>1,136</u>	<u>3,611</u>	<u>+ 2,422</u>
TOTALS	\$ 10,825	\$ 4,229	\$ 14,444	\$+ 7,848

D. RECOMMENDATION

This Fiscal Plan, which meets the state law requirements that a fiscal plan be prepared, shows that the Skinner-Broadbent Annexation is in accordance with the applicable state statutes. Therefore, it is recommended that after the passage of the annexation ordinance and its approval by the Mayor, this area should be annexed by the City of Fort Wayne 60 days after the second newspaper notice.

It is not anticipated that, due to the annexation of the Skinner-Broadbent area, any governmental employees will be eliminated from other governmental agencies. Because of this fact, no plan has been prepared for the hiring of such employees.

## APPENDIX:

### SKINNER-BROADBENT ANNEXATION LEGAL DESCRIPTION

Part of the North half of Section 18 in Township 30, North, Range 12, East, Allen County Indiana described as follows:

Commencing at the Southwest corner of the Northwest Quarter of Section 18, Township 30 North, Range 12 East, Allen County, Indiana, said point also being the Northwest corner of Lot Numbered 54 in Highland Garden Addition, as recorded in the plat thereof in the office of the Recorder of Allen County, Indiana; thence North along the West line of the NW 1/4 of Sec. 18-30-12, a distance of 340.0 feet to the true point of beginning; thence North along the West line of the NW 1/4 of Sec. 18-30-12 a distance of 615 feet more or less to a point on the North right-of-way line of West Jefferson Boulevard, formerly U.S. Highway #24, (this point being on the existing City Limits line as established by Annexation Ordinance No. X-02-84 as filed in the Office of the City Clerk); thence following in a Northeasterly direction along the North right-of-way line of West Jefferson Boulevard (this being the existing City Limits of Fort Wayne) to the point of intersection of West Jefferson Boulevard and the South right-of-way line of Covington Road; thence following the existing City Limits line in an Easterly direction to the South right-of-way line of West Jefferson Boulevard; thence in a Southwesterly direction along the South right-of-way line of West Jefferson Boulevard to a point, that point being approximately 222 feet more or less Northeast of the Northwest corner of Lot #4 Rousseau's Third Garden Addition; thence Southeasterly with a deflection angle to the right of 86 degrees 33 minutes 40 seconds, a distance of 700.6 feet (South 40 degrees 34 minutes East, 676.0 feet, deed) to a point in the centerline of the Flaugh Ditch; thence Southwesterly with a deflection angle to the right of 101 degrees 48 minutes along the centerline of Flaugh Ditch, a distance of 444.4 feet; thence Southwesterly with a deflection angle to the right of 18 degrees 02 minutes 30 seconds along the centerline of Flaugh Ditch, a distance of 256.45 feet to a point on the West line of Lot Numbered 4 in Rousseau's Third Garden Addition; thence Southwesterly with a deflection angle to the left of 14 degrees 21 minutes 10 seconds along the centerline of Flaugh Ditch, a distance of 805.8 feet to the point of beginning, containing 25 acres, more or less.



27 70

LEGAL NOTICE  
Notice is hereby given that on the 11th day of October, 1988, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. X-88-08-49 (as amended) Annexation Ordinance No. X-04-88 to-wit:  
Bill No. X-88-08-49 (AS AMENDED)  
ANNEXATION ORDINANCE NO. X-04-88  
AN ORDINANCE annexing certain territory commonly known as the Skinner-Broadbent Amended Annexation Area to Fort Wayne and including the same in Councilmanic District No. 4.  
BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:  
SECTION 1. That the following described territory be and the same is hereby annexed to, and made a part of the, the corporation of the City of Fort Wayne, Indiana, to-wit:  
Part of the North half of Section 18 in Township 30, North, Range 12, East, Allen County Indiana described as follows:  
Commencing at the Southwest corner of the Northwest Quarter of Sectin 18, Township 30 North, Range 12 East, Allen County, Indiana, said point also being the Northwest corner of Lot Numbered 54 in Highland Garden Addition, as recorded in the plat thereof in the office of the Recorder of Allen County, Indiana; thence North along the West line of the NW 1/4 of Sec. 18-30-12, a distance of 340.0 feet to the true point of beginning; thence North along the West line of the NW 1/4 of Sec. 18-30-12 a distance of 615 feet more or less to a point on the North right-of-way line of West Jefferson Boulevard, formerly U.S. Highway #24, (this point being on the existing City Limits line as established by Annexation Ordinance No. X-02-84 as filed in the Office of the City Clerk); thence following in a Northeasterly direction along the North right-of-way line of West Jefferson Boulevard (this being the existing City Limits of Fort Wayne) to the point of intersection of West Jefferson Boulevard and the South right-of-way line of Covington Road; thence following the existing City Limits line in an Easterly direction to the South right-of-way line of West Jefferson Boulevard; thence in a Southwesterly direction along the South right-of-way line of West Jefferson Boulevard to a point, that point being approximately 222 feet more or less Northeast of the Northwest corner of Lot #4 Rousseau's Third Garden Addition; thence Southeasterly with a deflection angle to the right of 86 degrees 33 minutes 40 seconds, a distance of 700.6 feet (South 40 degrees 34 minutes East, 676.0 feet, deed) to a point in the centerline of the Flaugh Ditch; thence Southwesterly with a deflection angle to the right of 101 degrees 48 minutes along the centerline of Flaugh Ditch, a distance of 444.4 feet; thence Southwesterly with a deflection angle to the right of 18 degrees 02 minutes 30 seconds along the centerline of Flaugh Ditch, a distance of 256.45 feet to a point on the West line of Lot Numbered 4 in Rousseau's Third Garden Addition; thence Southwesterly with a deflection angle to the left of 14 degrees 21 minutes 10 seconds along the centerline of Flaugh Ditch, a distance of 805.8 feet to the point of beginning, containing 25 acres, more or less.  
SECTION 2. That the City of Fort Wayne will furnish the above described territory within a period of one (1) year from the effective date of annexation, planned services of a non-capital nature, including police protection, and street and road maintenance, in a manner which is equivalent in standard and scope to those non-capital services provided to areas within the City of Fort Wayne which have similar topography, patterns of land utilization and population density to the said described territory. The City of Fort Wayne will also provide services of Capital improvement nature, including street construction, street lighting, sewer facilities, water facilities and stormwater drainage facilities to the annexed territory within three (3) years of the effective date of annexation, in the same manner as such services are provided to areas already in the City of Fort Wayne with similar topography, patterns of land utilization and population density, and in a manner consistent with federal, state and local laws, procedures and planning criteria.  
SECTION 3. The governmental and proprietary services will be provided to the above described territory in a manner consistent with the written Fiscal Plan for the territory developed by the Division of Community Development and Planning. Said Plan was examined by the Common Council of the City of Fort Wayne and is approved and adopted by the Common Council by and upon the passage of this Ordinance.  
SECTION 4. That said described territory shall be part of Councilmanic Political Ward No. 4 of the City of Fort Wayne, Indiana, as described in Division I, Section 2-9 of Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana of 1974, as amended.  
SECTION 5. That after its passage, any and all necessary approval by the Mayor, due legal publication, and the required sixty (60) day remonstrance period, this Ordinance shall be in full force and effect. The above described territory shall become part of the City of Fort Wayne sixty days after the date of the last legal publication.  
Charles B. Redd  
COUNCILMEMBER  
Read the third time in full and on motion by Redd seconded by Stier, and duly adopted, placed on its passage.  
PASSED by the following vote:  
Ayes: Eight  
Bradbury, Burns, GiaQuinta, Long, Redd, Schmidt, Stier, Talarico  
Nays: None  
Absent: One  
Henry  
Abstained: None  
DATED: 10-11-88  
Sandra E. Kennedy  
City Clerk  
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Annexation Ordinance No. X-04-88, on the 11th day of October, 1988.  
ATTEST:  
Sandra E. Kennedy  
City Clerk  
SEAL  
James S. Stier  
Presiding Officer  
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of October, 1988, at the hour of 9:00 o'clock A.M., E.S.T.  
Sandra E. Kennedy  
City Clerk  
Approved and signed by me this 12th day of October, 1988, at the hour of 9:50 o'clock A.M., E.S.T.  
Paul Helmke  
Mayor  
I, The Clerk of the City of Fort Wayne, Indiana do hereby certify that the above and foregoing is a full, true and complete copy of Annexation Ordinance No. X-04-88, passed by the Common Council on the 11th day of October, 1988, and that said Ordinance was duly signed and approved by the Mayor on the 12th day of October, 1988, and now remains on file and on record in my office.  
WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 12th day of October, 1988.  
SANDRA E. KENNEDY, CITY CLERK  
SEAL  
10--13-20

d of Accounts

General Form No. 99P (Revised 1987)

Council  
t)

To:

The Journal-Gazette

Dr.

P.O. Box 100

Fort Wayne, IN

ounty, Indiana

PUBLISHER'S CLAIM

ceed two actual lines, neither of which shall total  
type in which the body of the advertisement is set)

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\$ 75.74

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er allowing all just credits, and that no part of the

Trudy Sterling

Clerk

, 19 88

Title:

PUBLISHER'S AFFIDAVIT

State of Indiana )

) ss:

Allen County )

Personally appeared before me, a notary public in and for said county and state, the undersigned Trudy Sterling who, being duly sworn, says that he/she is Clerk of the The Journal-Gazette newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two time s, the dates of publication being as follows:

10/13, 20/88

Trudy Sterling

Subscribed and sworn to before me this 20th day of Oct., 19 88.

Shelley R. LaRue

Notary Public

Shelley R. LaRue

My commission expires: March 3, 1990



Ft. Wayne Common Council  
(Governmental Unit)

To: The Journal-Gazette Dr.  
P.O. Box 100  
Fort Wayne, IN

Allen County, Indiana

## PUBLISHER'S CLAIM

## LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)  
-- number of equivalent lines

Head -- number of lines

1

Body -- number of lines

149

Tail -- number of lines

3

Total number of lines in notice

153

## COMPUTATION OF CHARGES

153 lines, 1 columns wide equals 153 equivalent lines  
at .495 cents per line

\$ 75.74

Additional charge for notices containing rule or tabular work  
(50 percent of above amount)

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

2.00

TOTAL AMOUNT OF CLAIM

\$ 77.74

## DATA FOR COMPUTING COST

Width of single column 12.5 ems

Number of insertions 2

Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Trudy Sterling

Date: Oct. 20, 19 88

Title: Clerk

## PUBLISHER'S AFFIDAVIT

State of Indiana )

) ss:

Allen County )

Personally appeared before me, a notary public in and for said county and state, the undersigned Trudy Sterling who, being duly sworn, says that he/she is Clerk of the The Journal-Gazette newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two time s, the dates of publication being as follows:

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